

East Chicago Sanitation District (IN0022829)

Non-Categorical Industrial Wastewater Discharge Permit

Permittee	Legal Name: Linde Inc. Doing Business As (as applicable):		
Permittee Location	Address: 4400 Kennedy Avenue City, State & Zip Code: East Chicago, IN., 46312		
Permit Information	Permit No.: 531 SIC Code: 2819 Expiration Date: November 11, 2026		
Primary Permittee Contact Person	Name: Bikram Shrestha Title: Environmental Specialist Office Phone Number (direct): 219.391.5829 Cell Phone Number: 219.741.0427 Email Address: Bikram.Shrestha@Linde.com		
Authorized Permittee Contact Person	Name: Michael Sidener Title: Facility Manager Office Phone Number (direct): 219.391.5829 Cell Phone Number: Not Provided Email Address: Mike.Sidener@Linde.com		
Receiving POTW	Name: East Chicago Sanitary District Address: 5201 Indianapolis Boulevard City, State & Zip Code: East Chicago, Indiana, 46312 NPDES Permit No.: IN0022829		
	Type	"X"	Applicable Comments
Proposed Action	New Permit		
Choose One "X"	Permit Renewal	X	Previous permit expired on 11/22/21
	Permit Modification	X	As consistent with IDEM's 2021 audit, this permit renewal also contains various compliance related updates
	Temporary Permit		
	Permit Termination		
Permit Writer/POTW Contact Person	Name: Jose Cisneros Title: Pretreatment Coordinator Phone: (219) 516.2317 Email Address: jcisneros@eastchicago.com		



East Chicago Sanitary District

East Chicago, Indiana

Industrial Wastewater Discharge Permit

Permit Authorization/Outfall Number 531

Issued to:	Linde Inc.	
Address:	4400 Kennedy Avenue	
Effective Date:	11/21/2021	
Expiration Date:		11/22/2026

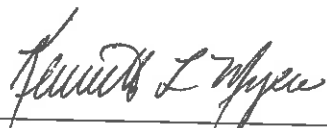
District Authority:	Kenneth L. Myers
Title:	Director, Wastewater Operations
Signature:	
Date of Issuance:	11/19/21
Reason:	Permit Renewal/Conformance to IDEM's Audit

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East Chicago Sanitary District

East Chicago, Indiana

Industrial Wastewater Discharge Permit

GENERAL PERMIT AND PERMITTEE INFORMATION	
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In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District" or "Receiving POTW"), by the issuance of this permit, authorizes:

Name of Permittee	Linde Inc.
Address	4400 Kennedy Avenue
Permit/Outfall No.	531

(Hereinafter "Permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

a.	Sanitary Water
b.	Non-contact cooling water
c.	Softener generate
d.	Boiler blowdown from air separation facility
e.	Truck wash water
f.	Compressor Condensate
g.	Retention Pond

This permit sets forth the standards required of the Permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the Permittee's discharge and sampling location by the following identification number and discharge location description:

Identification No.	531
Location Description	Located inside the fence line and within grass near the parking lot just east of the main office building. Flow measurement device is near the monitoring manhole.

By the issuance of this permit, the District acknowledges that the Permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the Permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.5 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

Process Description
Facility produces gaseous oxygen, nitrogen and neon; liquid oxygen, nitrogen, argon, krypton and Xenon by cryogenic air separation process which includes compression, purification, expansion and cryogenic distillation of air. Liquid Hydrogen by liquefaction of gaseous hydrogen. Products are delivered to our customers via pipeline and cryogenic transport trailer.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The Permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance or any other limitations established in future Ordinances:

Specific Pollutant Limitations	
Parameter ¹	Daily Maximum (mg/L)
Arsenic, total	1.31
Chromium, total	7.0
Copper, total	0.88
Cyanide, available	0.019
Lead, total	2.28
Mercury, total	0.0002
Molybdenum, total	2.8
Nickel, total	0.80
Zinc, total	5.5
Fluoride	30
Phenols	0.96
Total Oil & Grease	117
Bis(2-ethylhexyl) Phthalate	1.03
Ammonia	134
Phosphorus	31
pH	5 – 10 s.u.
Note: (1) For any parameter that is covered by multiple pretreatment or local standards, the most stringent shall apply	

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

<u>Parameter</u>	<u>Daily Maximum</u>
Chemical Oxygen Demand (COD)	250 mg/L
Total Suspended Solids (TSS)	100 mg/L

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance, the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1	Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the Receiving POTW. This prohibition shall include any waste stream with a closed cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any waste stream capable of causing an exceedance of ten (10) percent of the Lower Explosive Limit for flammable/explosive gases at any point within the Receiving POTW.
2	Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or harm to the personnel of the Receiving POTW.
3	Any substance which may cause the Receiving POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the Receiving POTW cause the Receiving POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4	Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5	Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6	Any wastewater having a temperature which will inhibit biological activity in the Receiving POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the Receiving POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7	Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration

	which will cause interference to the Receiving POTW.
8	Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
9	Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10	Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11	Solid or viscous substances in amounts which may or will cause obstruction of the flow to or into the Receiving POTW or to the flow in a sewer resulting in interference with the operation of the Receiving POTW.
12	Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the Receiving POTW for its maintenance and repair.
13	Any wastewater which causes a hazard to human life or creates a public nuisance.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the Permittee must not discharge into the Receiving POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS	
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A. SAMPLING PROCEDURES

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

B. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(l) allows the Receiving POTW to sample in lieu of the Permittee. For the effective period of this permit, the District will monitor Outfall 531 at the following frequency, for the following parameters with the indicated methods or another approved method found in 40 CFR Part 136 that has a Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

Sample Parameter (units)	Frequency	Method	Sample Type
COD (mg/L)	1x/Month	EPA410.4/SM5220B	24 Hour Composite ¹
TSS (mg/L)	1x/Month	SM 2540 D	24 Hour Composite
Arsenic (mg/L) ²	1x/Month	EPA 200.7	24 Hour Composite
Chromium (mg/L) ²	1x/Month	EPA 200.7	24 Hour Composite
Copper (mg/L) ²	1x/Month	EPA 200.7	24 Hour Composite
Cyanide, Available (mg/L) ³	1x/Month	EPA OIA-1677	Grab
Lead (mg/L) ²	1x/Month	EPA 200.7	24 Hour Composite
Mercury (mg/L) ²	1x/Month	EPA 245.1/1631	24 Hour Composite
Molybdenum (mg/L) ²	1x/Month	EPA 245.1/200.7	24 Hour Composite
Nickel (mg/L) ²	1x/Month	EPA 200.7	24 Hour Composite
Zinc (mg/L) ²	1x/Month	EPA 200.7	24 Hour Composite
Bis(2-ethylhexyl)phthalate (mg/L)	1x/Month	EPA 625	24 Hour Composite
Oil & Grease (HEM) (mg/L)	1x/Month	EPA 1664B	Grab
Fluoride (mg/L)	1x/Month	SM 4500-F C	24 Hour Composite
Phenols (mg/L)	1x/Month	EPA 420.1	Grab
Ammonia (mg/L)	1x/Month	SM 4500-NH ₃ F	24 Hour Composite
Phosphorous (mg/L)	1x/Month	SM 4500-P B	24 Hour Composite
pH (s.u.)	1x/Month	EPA 150.2	Grab
Temperature	1x/Month	---	Grab

Footnotes:

- (1) All composite samples shall be time proportional samples
- (2) All metal analytes will be measured and reported as total recoverable metals, unless specified otherwise
- (3) Cyanide will be measured and reported as Available Cyanide

C. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the Permittee will monitor Outfall 531 at the following frequency for the following parameters:

Sample Parameter	Frequency	Method	Sample Type
Flow	1x/Month	Meter	Continuous

D. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Permittee must provide and operate at the Permittee's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Permittee's premises, except where such a location would be impractical or cause undue hardship on the Permittee. The District may concur with the monitoring facility being constructed in the public accessible street or nearby sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or by parked vehicles. There must be ample room in or near said monitoring facility to allow accurate sampling and preparation of samples for analysis. The facility's monitoring, and sampling equipment must be maintained, remain operable at all times and kept in proper operating condition at the expense of the

Permittee. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

E. SPILL CONTROL/SLUG LOAD PREVENTION PLAN

As consistent with Article 13.13.5.04.05 of the Ordinance and as the District is requiring that all Permittees implement and maintain a Spill Control Countermeasure and/or a Slug Load Prevention plan, all Permittees shall submit to the District an electronic copy of the plan which details the prevention of spills, slug loads and/or countermeasures associated with an accidental discharge of a substance or substances within its wastewater as destined to the Receiving POTW. Furthermore, all Permittees shall immediately notify the District of any changes at its facility which invokes the usage of the Spill Control Countermeasure and/or the Slug Load prevention plan.

REPORTING REQUIREMENTS	
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A. DISCHARGE VOLUME REPORTS

The Permittee must report the total monthly flow in gallons from Outfall 531 each month.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the Permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the Permittee no less than once per year. The Permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

Discharge Volume Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

NOTIFICATION REQUIREMENTS	
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A. SIGNIFICANT CHANGE NOTICE

As consistent with 40 CFR 403.12(j), all Permittees must immediately contact and report a significant change in discharge in water volume and/or water quality to the Receiving POTW.

B. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the Receiving POTW, the Permittee shall alert the Receiving POTW immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. The location of the discharge
2. The date and time of the discharge
3. The type of waste discharged
4. The concentration and volume of the waste and
5. Explanation of corrective actions taken

C. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a Permittee's treatment facility.

If the Permittee knows in advance of the need for a bypass, it shall submit prior notice to the Receiving POTW, if possible at least ten days before the date of the bypass.

The Permittee shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Permittee becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Permittee becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Receiving POTW may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

D. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the Permittee shall alert the Receiving Authority within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the Permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. A description of the upset and its cause
2. The impact of the upset on the Permittee's compliance status
3. The duration of non-compliance, including exact date(s) and time(s) of non-compliance
4. If non-compliance continues, the date(s) by which compliance should be attained and
5. An explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

E. SLUG CONTROL NOTIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that the Permittee must immediately notify the Receiving POTW of all discharges that could cause problems to the Receiving POTW, including any slug loading by the Permittee.

F. 24 HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by the Permittee indicates a violation, the IU must notify the Receiving Authority within twenty four (24) hours of becoming aware of the violation. The Permittee shall also repeat the sampling and analysis then and submit the results of the repeat analysis to the Receiving Authority within thirty (30) days after becoming aware of the violation. Resampling by the Permittee is not required if the Receiving Authority performs sampling at the Permittee's facility at least once a month, or if the Receiving Authority performs sampling at the Permittee's facility between the time when the initial sampling was conducted and the time when the Permittee or the Receiving Authority receives the results of the resampling. If the Receiving Authority has performed the sampling and analysis in lieu of the Permittee, the Receiving Authority shall perform the repeat sampling and analysis.

STANDARD CONDITIONS	
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A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue to remain in full force and effect.

2. Duty to Comply

The Permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The Permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including additional monitoring as deemed necessary by the District to determine the nature and impact of the noncomplying episode.

4. Permit Modification

The District reserves the right to amend this permit in order to assure compliance by the Permittee with applicable laws and regulations. The Permittee shall be informed by

District of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Duty to Reapply

Per Article 13.13.5.03.8 of the Ordinance, the Permittee must timely submit for and obtain a renewed permit so as to continue the General Conditions, Terms and/or Definitions as regulated by this permit.

6. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of the Permittee for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application
- (d) Falsifying self-monitoring reports and certification statements
- (e) Tampering with monitoring equipment
- (f) Refusing to allow the Receiving POTW timely access to the facility premises and records
- (g) Failure to meet effluent limitations
- (h) Failure to pay fines
- (i) Failure to pay sewer charges
- (j) Failure to meet compliance schedules
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or these listed General Conditions and Definitions.

7. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific Permittee for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the Permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or Permittee which:

- (a) States that the new owner and/or Permittee have no immediate intent to change the facility's operations and processes
- (b) Identifies the specific date on which the transfer is to occur
- (c) Acknowledges full responsibility for complying with the terms and conditions of the transferred discharge permit
- (d) Failure to provide at least sixty (60) days advance notice of transfer of ownership renders this individual wastewater discharge permit void as of the date of facility transfer and/or
- (e) Failure to provide a copy of the existing permit to the new owner.

8. Dilution

Per Article 13.13.3.02.5 of the Ordinance, the Permittee must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit.

9. Compliance with Applicable Pretreatment Standards and Requirements

All Permittees must comply with Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01 of the Ordinance, Permittees shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the Permittees expense. Detailed plans describing such

facilities and operating procedures shall be submitted to the District for review and shall be acceptable by the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the Permittee from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District as set forth within the provisions of the General Conditions, Terms and Definition within this permit. All new Permittees ~~HU's~~ shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements and shall immediately achieve compliance prior to the commencement of discharge. As consistent with 13.13.5.04, any subsequent change(s) in the pretreatment facilities or method of operation shall be immediately reported and subsequently approved by the District prior to installation of the change(s).

The Permittee, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable so as to prevent loss of life, personal injury, or severe property damage
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance and
- (c) The Permittee submitted notices as required under the Notification Requirements as listed within ~~in the~~ Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the

monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CPR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by a Permittee indicates a violation, the Permittee must notify the District within twenty-four (24) hours of becoming aware of the violation. The Permittee shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the Permittee is not required if the District performs sampling at the Permittee's facility at least once a month, or if the District performs sampling at the Permittee between the time when the initial sampling was conducted and the time when the Permittee or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the Permittee, the District shall perform the repeat sampling and analysis.

3. Inspection and Sampling

Per Article 13.13.5.06 of the Ordinance, the Permittee shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the Permittee at all reasonable hours for the purposes of inspection, sampling, or records examination. The Permittee shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the Permittee's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Record Retention

Per Article 13.13.8.01 all Permittees subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the Permittee independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the sample(s); the date(s) analysis/analyses were performed; who performed the analysis/analyses; the analytical techniques or methods used; and the results of such analysis/analyses. These records shall remain available to the District for a period of at least three (3) years. The record retention requirements shall be automatically extended for the duration of any litigation concerning the Permittee or the District, or where the Permittee has been specifically notified of a longer record retention requirement by the District.

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the Permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

- (i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation or
- (ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18 U.S.C §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The Permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

2. User Rate and Charges

The Permittee is responsible for paying the rates and charges provided in Ordinance 15--0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all Permittees which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation within the City of East Chicago.

2. Civil Penalties

Pursuant to Article 13.13.7.01, in the event that a Permittee is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the rules and/or regulations of the Sewer User Ordinance, or permits issued hereto, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified by the District, each calendar day that a violation continues forward shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any Permittee violating any of the

provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the Permittee for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 (Enforcement) and 7 (Penalties) of the Sewer User Ordinance (Ordinance No.18-0017) .

LINDE INC. – Tracking of Permit Related Changes

Ct	Date of Change	Permit Related Change	Change Related Comment(s)	Permittee Related Notations
01	09/15/21	Permit Renewal	Linde permit renewal request was timely received as the corresponding application was sent well within the District required 45 day lead time.	
02	10/14/21	Format Change	Existing permit form was thoroughly analyzed and revised as due to various inconsistencies (i.e., typos, mistakes etc.).	Revised permit form will be applied to the Linde's permit renewal requirement.
03	10/14/21	Slug Plan Inclusion	As consistent with IDEM's YEAR 2021 PT program audit, permit modified to include Slug Plan inclusion requirement.	Linde apprised of the Slug Plan inclusion requirement within the email communique associated to its permit renewal request.
04	10/14/21	Significant Change Notification	As consistent with IDEM's YEAR 2021 PT program audit, permit modified to include Significant Change notification requirement.	Linde apprised of the Significant Change Notification requirement within the email communique associated to its permit renewal request.
05	10/14/21	Phenol Sample Collection	As consistent with IDEM's YEAR 2021 PT program audit, permit modified to change Phenol Sample Type requirement.	Linde apprised of the Phenol sample type change within the email communique associated to its permit renewal request.
06	10/14/21	No Local Silver Limit	As consistent with IDEM's YEAR 2021 PT program audit, permit modified to delete Silver Local Limit parameter.	Linde apprised of the removal of the Silver sample parameter within the email communique associated to its permit renewal request.
07	10/14/21	The Usage of Certain Symbols	As consistent with IDEM's YEAR 2021 PT program audit, permit modified to change the usage of certain symbols.	Linde apprised of the symbolic related changes as associated to the sample frequency metric within the email communique associated to its permit renewal request.
08	10/14/21	Statement of Non-Transferability	As consistent with IDEM's Year 2021 PT program audit, permit modified to include Statement of Non-Transferability.	Linde apprised of the Statement of Transferability inclusion within the email communique associated to its permit renewal request.
09	10/14/21	Notification of Discharge Violation	As consistent with IDEM's Year 2021 PT program audit, permit modified to include Notification of Discharge Violation	Linde apprised of the Notification of Discharge Violation requirement within the email communique associated to its permit renewal request.
10	11/19/21	Permit Renewal	District approves renewed permit and further advises Linde of the various permit related modifications which are consistent with IDEM's conformance requirements.	